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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,055	10/10/2001	Jacob Zimmermann	1807.1805	5039
5514	7590	04/04/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			ZHEN, LI B	
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NEW YORK, NY 10112			PAPER NUMBER	
			2194	
DATE MAILED: 04/04/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,055

Applicant(s)

ZIMMERMANN ET AL.

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,7,9-12,14,15,17-25,27,28 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7,9-12,14,15,17-25,27,28 and 31-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/1/05.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. Claims 1 – 4, 6, 7, 9 – 12, 14, 15, 17 – 25, 27, 28 and 31 – 33 are pending in the application.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/12/2006 has been entered.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 12/01/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is considered by the examiner.

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5. Claim 1 – 33 are objected to because of the following informalities:
 - a. Dependent claims 2 – 4, 6, 7, 9 and 10 should start with “the method” as they appear to refer to “a method” of independent claim 1;
 - b. Dependent claims 12, 14, 15, 17 – 23 should start with “the method” as they appear to refer to “a method” of independent claim 11;
 - c. Dependent claim 25 should start with “the device” as they appear to refer to “a method” of independent claim 24;

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- d. Dependent claim 28 should start with "the device" as they appear to refer to "a method" of independent claim 27;
- e. Appropriate correction is required.

6. Claims 31 – 33 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 24 defines a device for remotely using a data-processing object. Claims 31 and 32 do not further define the device for remotely using a data-processing object of claim 24 because they recite a device for browsing and a client station that comprises the device of claim 24. Claim 33 does not further define the device for executing a function on a data-processing object because claim 33 recites a server station comprising the device of claim 27.

Specification

7. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code [p. 12, line 9 and p. 19, line 23]. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1 – 4, 6, 7, 9 – 12, 14, 15, 17 – 25, 27, 28 and 31 – 33 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,973,493 to Slaughter et al. [hereinafter referred to as Slaughter].**

10. As to claim 11, Slaughter teaches a method for executing a function on a data-processing object [XML message is sent to a service gate which invokes the actual method on the service object; col. 52, lines 25 – 42] which can be used, via a server station [server may be any platform capable of receiving and fulfilling message requests; col. 17, lines 33 – 46] connected to a communications network [col. 15, lines 40 – 52], by at least one client station [client may be any platform that can send a message using at least a subset of the API and messaging layers; col. 17, lines 32 – 46] connected to the network, comprising the following steps, implemented in the server station:

receiving an object request originating from the client station [browser user may use a search engine to find a Web page that fronts (displays the contents of) a space advertising services within the distributed computing environment; col. 30, lines 37 – 63], the object request including information for identifying a data-processing object accessible via the server station [user is able to point and click on the space Web page and, with the help of the servlet, to access services; col. 30, lines 37 – 63];

sending an object response to the client station, the object response including information for describing graphic elements of a graphical user interface [Web pages may include scripts, for example, Java or WML scripts, which may be used in connecting the browser to the proxy servlet; col. 30, lines 37 – 63], the graphic elements [service interface may interact with the client, displaying (remotely) requests for input on the client's display; col. 29, lines 57 – 64] of the graphic user interface [service interface may be a preconstructed user interface provided to the client; col. 29, lines 5 - 21] being associated with programmed functions [provide a simple user interface that allows a client to entire strings (e.g. keyword for space searches), view or browse result references (e.g. space listings, or service listings within a space), select items (e.g. to chose and instantiate a service), etc; col. 53, lines 38 - 55], the graphic user interface

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allowing a user to use the object when the graphic elements are activated by the user [start a service, all by pointing and clicking; col. 30, lines 36 – 62]; and

receiving a method-execution request originating from the client station [request-response message interface in which clients remotely call methods causing services to return results; col. 31, lines 35 – 52], the method-execution request comprising an object-method call in a mark-up language [Once the service interface has obtained the necessary information from the client, it may send XML messages to the service provider that runs the service; col. 29, line 63 – col. 30, line 9].

11. As to claim 12, Slaughter teaches executing at least one command received from the client station, on a data-processing object [provide a remote method invocation interface to a service; col. 30, line 63 – col. 31, line 22]; and

sending a method-execution response to the client station, the method-execution response containing data indicative of a result of the execution of the at least one command on the object [Results (which are just another content type) from service operations may be returned directly to the client in a response message; col. 19, line 47 – col. 20, line 2].

12. As to claims 14 and 15, Slaughter teaches the information for identifying the data-processing object comprises an electronic address indicative of the storage location of the object is a URL-type address [A space is named and accessed on the network using an URI (Uniform Resource Identifier). The URI may be a URL (Uniform Resource Locator); col. 16, lines 49 – 60].

13. As to claim 18, Slaughter teaches the data-processing object is associated in the server station with an electronic document containing the information for describing the graphic elements of the graphic user interface and the associated programmed functions [user is able to point and click on the space Web page and, with the help of the servlet, to access services. The Web pages may include scripts, for example, Java or WML scripts, which may be used in connecting the browser to the proxy servlet.

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Scripts may also be used to send messages to the proxy servlet. The servlet agent may translate Web page actions into messages on behalf of the browser client; col. 30, lines 36 – 63].

14. As to claim 20, Slaughter teaches an electronic address indicative of the storage location of the object is an address of "URL" type associated with the electronic document [col. 16, lines 50 - 60].

15. As to claim 21, Slaughter teaches the communications network is a network of the Internet type [col. 17, line 64 – col. 18, line 13].

16. As to claim 22, Slaughter teaches the client station and the server station communicate by using a communications protocol of the "hypertext transfer protocol" (HTTP) type, and messages exchanged between the server station and the client station are HTTP messages [Messages gates may allow clients and services to exchange XML messages in a secure and reliable fashion over any suitable message transport (e.g. HTTP); col. 21, lines 43 – 57].

17. As to claim 1, Slaughter teaches a method for remotely using a data-processing object [XML message is sent to a service gate which invokes the actual method on the service object; col. 52, lines 25 – 42] accessible via a server station [server may be any platform capable of receiving and fulfilling message requests; col. 17, lines 33 – 46] connected to a communications network [col. 15, lines 40 – 52], from a client station [client may be any platform that can send a message using at least a subset of the API and messaging layers; col. 17, lines 32 – 46] connected to the network, the method comprising the following steps:

 sending an object request to the server station [browser user may use a search engine to find a Web page that fronts (displays the contents of) a space advertising services within the distributed computing environment; col. 30, lines 37 – 63], the object request including information for identifying an object accessible via the server station

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[user is able to point and click on the space Web page and, with the help of the servlet, to access services; col. 30, lines 37 – 63];

receiving an object response sent by the server station, the object response including information for describing graphic elements of a graphic user interface [Web pages may include scripts, for example, Java or WML scripts, which may be used in connecting the browser to the proxy servlet; col. 30, lines 37 – 63], the graphic elements [service interface may interact with the client, displaying (remotely) requests for input on the client's display; col. 29, lines 57 – 64] of the graphic user interface [service interface may be a preconstructed user interface provided to the client; col. 29, lines 5 - 21] being associated with programmed functions [provide a simple user interface that allows a client to entire strings (e.g. keyword for space searches), view or browse result references (e.g. space listings, or service listings within a space), select items (e.g. to chose and instantiate a service), etc; col. 53, lines 38 - 55], the graphic user interface allowing a user to use the object when the graphic elements are activated by a user [start a service, all by pointing and clicking; col. 30, lines 36 – 62];

starting up the graphic user interface on the client station [a Web browser may be used on a client as the GUI for a service; col. 28, lines 21 - 41] in response to activation of at least one graphic element by the user [user is able to point and click on the space Web page and, with the help of the servlet, to access services; col. 30, lines 37 – 63];

executing at least one function associated with at least one element of the graphic user interface, in response to activation of at least one graphic element by the user [provide a simple user interface that allows a client to entire strings (e.g. keyword for space searches), view or browse result references (e.g. space listings, or service listings within a space), select items (e.g. to chose and instantiate a service), etc; col. 53, lines 38 – 55 and col. 30, lines 36 – 62];

sending a method-execution request to the server station [request-response message interface in which clients remotely call methods causing services to return results; col. 31, lines 35 – 52], in response to the execution of at least one programmed function associated with the at least one graphic element of the graphic user interface activated by the user [start a service, all by pointing and clicking; col. 30, lines 36 – 62],

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the method-execution request comprising an object-method call in a mark-up language [Once the service interface has obtained the necessary information from the client, it may send XML messages to the service provider that runs the service; col. 29, line 63 – col. 30, line 9].

18. As to claim 2, Slaughter teaches receiving a method-execution response sent by the server station in response to the method-execution request, the method-execution response containing data indicative of a result of execution of the at least one command which can be understood by the object [Results (which are just another content type) from service operations may be returned directly to the client in a response message; col. 19, line 47 – col. 20, line 2];

decoding the data contained in the method-execution response and updating the user interface, if necessary [Result page URIs (referencing pages containing XML) may be returned directly (or translated into HTML or WAP if needed) to the browser, for display to the user; col. 30, lines 37 – 63].

19. As to claims 3 and 4, these are rejected for the same reasons as claims 14 and 15 above.

20. As to claim 6, 17 and 19, Slaughter teaches the XML language [messaging API may provide an interface for simple messages in a representation data or meta-data format, such as in the extensible Mark-up Language (XML); col. 14, line 58 - col. 15, line 15].

21. As to claims 7 and 23, Slaughter teaches implementing program functions for describing the graphic elements of the user interface in the JavaScript programming language [col. 28, lines 42 – 56].

22. As to claim 9, this is rejected for the same reasons as claim 21 above.

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23. As to claim 10, this is rejected for the same reasons as claim 22 above.

24. As to claims 24 and 25, these are apparatus claims that correspond to method claims 1 and 2; note the rejection to claims 1 and 2 above, which also meet these apparatus claims.

25. As to claims 27 and 28, these are apparatus claims that correspond to method claims 11 and 12; note the rejection to claims 11 and 12 above, which also meet these apparatus claims.

26. As to claim 31, Slaughter teaches a device for browsing on the Internet (Web browser) comprising a device for remotely using a data-processing object [a Web browser may be used on a client as the GUI for a service; col. 28, lines 21 - 41].

27. As to claim 32, Slaughter teaches a client station linked to a communications network, comprising a device for remotely using a data-processing object [a method gate to provide a remote method invocation interface to a service; col. 30, line 63 – col. 31, line 22].

28. As to claim 33, Slaughter teaches a server station linked to a communications network, comprising a device for executing a function on a data-processing object [XML schema may specify a set of messages that clients of the service may send to the service to invoke functionality of the service; col. 36, line 62 – col. 37, line 13].

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,457,066 discloses an application layer protocol provided on top of HTTP to allow for COM automation objects to be invoked over the Internet.

U.S. Patent No. 6,918,084 discloses system and method for spawning new spaces in a distributed computing environment.

U.S. Patent No. 6,917,976 discloses system and method for providing message-based leasing of resources in a distributed computing environment.

U.S. Patent No. 6,862,594 discloses service discovery protocol to allow clients to search for services in a distributed computing environment.

U.S. Patent No. 6,904,600 discloses system for providing an application program interface to the Simple Object Access Protocol.

U.S. Patent No. 6,868,447 discloses system for returning results of services within a distributed computing environment.

U.S. Patent No. 6,850,979 discloses a message gate for a client or service to provide secure endpoint in a distributed computing environment.

U.S. Patent No. 6,789,077 discloses method for searching for Internet-based repositories with a distributed computing environment.

U.S. Patent No. 6,643,650 discloses searching for documents within spaces in a distributed computing environment.

CONTACT INFORMATION

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
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WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER